3/21/19 1:59 P.M.

Chapter No. 358
19/HR43/R1397
LL / CST

HOUSE BILL NO. 925

Originated in House _____ Clerk

HOUSE BILL NO. 925

AN ACT TO AMEND SECTION 83-65-103, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF VEHICLE SERVICE CONTRACT AND PROVIDE A DEFINITION OF ROAD HAZARD FOR THE LAWS THAT REGULATE VEHICLE SERVICE CONTRACTS IN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 83-65-103, Mississippi Code of 1972, is amended as follows:

83-65-103. For the purposes of this chapter:

(a) "Commissioner" means the Commissioner of Insurance.

(b) "Service contract holder" means a person who purchases or otherwise obtains a vehicle service contract.

(c) "Vehicle service contract" means a contract or agreement that undertakes to perform or provide repair or replacement service, or provide payment for that service, for the operational or structural failure of a motor vehicle due to a defect in materials, workmanship or normal wear and tear<u>, with or without additional provision for incidental payment or indemnity under limited circumstances, including, but not limited to,</u>

towing, rental and emergency road service. "Vehicle service contract" also means a contract or agreement that undertakes to perform or provide one or more of the following services:

(i) The repair or replacement of tires and/or wheels on a motor vehicle damaged as a result of coming into contact with road hazards;

(ii) The removal of dents, dings or creases on a motor vehicle that can be repaired using the process of paintless dent removal without affecting the existing paint finish and without replacing vehicle body panels, sanding, bonding or painting;

(iii) The repair of chips or cracks in or the replacement of motor vehicle windshields as a result of damage caused by road hazards;

(iv) The replacement of a motor vehicle key or key-fob in the event that the key or key-fob becomes inoperable or is lost or stolen;

(v) Other services which may be approved by the Commissioner, if not inconsistent with other provisions of this act.

(d) "Provider" means a person who issues, makes or provides a vehicle service contract.

(e) "Reimbursement insurance policy" means a policy of insurance providing reimbursement coverage for all services which

the provider is legally obligated to provide under the terms of vehicle service contracts issued or sold by the provider.

(f) "Services" means the repair, replacement or maintenance of property or indemnification for repair, replacement or maintenance for the operational or structural failure of a motor vehicle due to a defect in materials, workmanship or normal wear and tear.

(g) "Road hazard" means a hazard that is encountered while driving a motor vehicle and which may include, but not be limited to, potholes, rocks, wood debris, metal parts, glass, plastic, curbs or composite scraps.

SECTION 2. This act shall take effect and be in force from and after July 1, 2019.

PASSED BY THE HOUSE OF REPRESENTATIVES
January 30, 2019

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 12, 2019

Tate Reeves

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

3/21/2019
1:59 pm